

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

UNITED STATES OF AMERICA,)	
)	
V.)	Case No. 7:23-CR-00047
)	
DAMON TYLER MILLS.)	

DEFENDANT’S UNOPPOSED MOTION TO MODIFY CONDITIONS OF RELEASE

COMES NOW, the Defendant, Damon Tyler Mills, and respectfully moves this Court to modify Conditions (7)(k), (7)(r)(i), and (7)(s) of the Conditions of Release in his case to remove the curfew and electronic monitoring requirements presently in place. Counsel for the Defendant has confirmed that the government does not oppose this request. In support thereof, Defendant states as follows.

1. On October 31, 2023, a five-count indictment was brought in this Court against Damon Tyler Mills. Counts I, II and III include two Hobbs Act robbery charges and a related firearms charge, which are alleged to have occurred in December 2018. Counts IV and V include a charge for the distribution of marijuana and a related firearms charge, which are alleged to have occurred in February 2019.

2. On November 6, 2023, Mr. Mills appeared before the Court for a bond hearing and was subsequently released from custody that same day pursuant to an unsecured bond of \$20,000.00 (ECF 15) and an Order Setting Conditions of Release. (ECF 14).

3. The jury trial in Mr. Mills’ case is set for April 7-10, 2025. (ECF 47).

4. Since his release from custody over a year ago, Mr. Mills has remained in full compliance with the Conditions of Release originally imposed by the Court.

5. Notably, Mr. Mills has remained in full compliance with Conditions 7(k) and

(7)(r)(i), which restrict Mr. Mills from leaving his approved residence between 10 PM and 6 AM each day.

6. Mr. Mills has also remained in full compliance with Condition (7)(s), which requires Mr. Mills to submit to location monitoring technology by radio frequency, as required by his supervising pretrial services officer.

7. Mr. Mills is partially disabled, having suffered severe injuries during a motorcycle accident, including the loss of a leg. Despite these hardships, Mr. Mills diligently works to support himself at three part-time jobs.

8. Over the past year, the costs associated with Mr. Mills' electronic monitoring has caused him financial strain. Accordingly, and as he has remained fully compliant with the Conditions of Release for the past year, Mr. Mills seeks to remove the requirement of Condition (7)(s) that requires him to submit to electronic location monitoring.

9. Counsel has conferred with the assigned Assistant United States Attorney John Beamer, and he has confirmed that the government does not object to modifying Mr. Mills' Conditions of Release to remove the requirement that requires him to submit to electronic monitoring.

10. As Mr. Mills has remained fully compliant with his conditions of release for the past year, he also seeks to remove the curfew requirement that prevents him from leaving his approved residence between 10 PM and 6 AM. Mr. Mills is hopeful that this requirement could allow him to periodically extend his hours at one of his part-time jobs by working evenings, which he is currently unable to do for fear of violating his curfew requirements.

11. Counsel has further conferred with the assigned Assistant United States Attorney John Beamer, and he has confirmed that the government also does not object to modifying Mr.

Mills' Conditions of Release to remove the curfew requirement that prevents him from leaving his approved residence between 10 PM and 6 AM.

WHEREFORE, for these reasons, as well as any other that may appear to the Court, Defendant respectfully asks this Court to modify Conditions (7)(k), (7)(r)(i), and (7)(s) of the Conditions of Release in his case to remove the curfew and electronic monitoring requirements presently in place.

Respectfully submitted,

DAMON TYLER MILLS

By: /s/Anthony F. Anderson

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CERTIFICATE OF SERVICE

I hereby certify that this 22nd day of November, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the all counsel of record.

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